

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**TIM DEMPSEY,**

**Plaintiff,**

**vs.**

**CITY OF OMAHA, a municipal  
corporation; MICHAEL G. FAHEY,  
Individually and in his Official  
Capacity; PAUL LANDOW,  
Individually and in his Official Capacity  
and TOM MARFISI, individually and  
in his Official Capacity,**

**Defendants.**

**8:07CV311**

**ORDER**

This matter is before the court on the plaintiff's unopposed motion for leave to file a first amended complaint [18] and the defendants' motion to extend the deadline for filing motions for summary judgment based on qualified immunity [17]. Upon review of the record, the court finds that both motions should be granted.

**IT IS ORDERED:**

1. Plaintiff's motion [18] is granted. Plaintiff shall file and serve his Amended Complaint no later than **January 25, 2008**. All adverse parties shall answer or respond to the First Amended Complaint within the time allowed by Fed. R. Civ. P. 15(a)(3).

2. Defendants' motion [17] is granted. The deadline for filing motions for summary judgment based on qualified immunity (now set for January 7, 2008) is vacated. A new deadline will be established at the time of the parties' planning conference on February 14, 2008.

**DATED January 8, 2008.**

**BY THE COURT:**

**s/ F. A. Gossett  
United states Magistrate Judge**